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10 Attorneys for Defendant
 11 LEXAR MEDIA, INC.

12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

14 JENS ERIK SORENSEN, as Trustee of
 SORENSEN RESEARCH AND
 15 DEVELOPMENT TRUST,

16 Plaintiff,

17 v.

18 LEXAR MEDIA, INC., a Delaware corporation;
 and DOES 1 - 100,

19 Defendants.

20 Case No. C08-00095 JW

21 DECLARATION OF JOSEPH H. LEE IN
 SUPPORT OF DEFENDANT LEXAR
 MEDIA'S SUPPLEMENTAL
 STATEMENT IN OPPOSITION TO
 PLAINTIFF'S MOTION FOR
 APPLICATION OF 35 U.S.C. § 295
 PRESUMPTION OF INFRINGEMENT

22 Date: September 8, 2008
 Time: 9:00 a.m.
 Courtroom: 8, 4th Floor
 Judge: Hon. James Ware

1 I, Joseph H. Lee, declare:

2 1. I am an associate at the law firm of Weil, Gotshal & Manges LLP,
3 attorneys for Defendant in this case. Unless otherwise stated herein, I have personal knowledge
4 of the facts stated in this declaration and, if called upon by a court of law to do so, could and
5 would testify competently to them.

6 2. Attached hereto as Exhibit A is a true and correct copy of Lexar's
7 Responses to Plaintiff's Interrogatories No. 7-10, served on August 6, 2008, which has been filed
8 under seal.

9 3. Attached hereto as Exhibit B is a true and correct copy of Lexar's
10 Amended Responses to Plaintiff's Interrogatories No. 7-10, served on August 28, 2008, which
11 has been filed under seal.

12 4. Attached hereto as Exhibit C is a true and correct draft copy of excerpts of
13 the August 22, 2008 deposition of Lexar's 30(b)(6) representative, which has been filed under
14 seal.

15 5. Attached hereto as Exhibit D is a true and correct copy of pages
16 LEXSDRT000027, 028, 035, 043, 044, and 045, produced to Sorensen on July 22, 2008, which
17 has been filed under seal.

18 6. Attached hereto as Exhibit E is a true and correct copy of
19 LEXSDRT0001397-1733, produced to Sorensen on August 19, 2008, which has been filed under
20 seal.

21 7. Attached hereto as Exhibit F is a true and correct copy of
22 LEXSDRT0001734, produced to Sorensen on August 20, 2008, which has been filed under seal.

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1 8. Attached hereto as Exhibit G is a true and correct copy of excerpts from the
2 June 30, 2008 hearing on Plaintiff's Motion for Application of 35 U.S.C. § 295 Presumption of
3 Infringement.

4 I declare under penalty of perjury under the laws of the United States of America
5 that the foregoing is true and correct.

6 Executed this 29th day of August, 2008, at Redwood Shores, California.

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/s/ Joseph H. Lee
Joseph H. Lee